GERRIT SMITH ON PEACE.

Plea for the Preservation o

IMPORTANCE OF THE ISSUE

the Nation's Faith.

The Way to Peace not Through Per- follies in vain." fldy and Vengeauce-Austria Look. ing for a Precedent-The Accomplished Great Crime of the South and the Threatened Mean Crime of born as late as the year 1790. We will read now The North-America's Moment of what Welcher says: Decision-Unimpassioned View of the Question Before the Country.

MR. SMITH'S SPEECH.

horrid war, committed the great crime of the age. The North, under the persistent clamor of civil war; the right has become doubtful, and the press and pulpit to punish the South for is left, as the wars between the several States, treason, is in danger of committing the mean crime of the age. [Applause.] Lips and pen no more influential than mine can do but little to is bound to declare himself for one or the other avert this thing; but what little they can do shall party-nay, according to the wise law of Solon. be done; for it this mean crime shall be com he is bound to do it, to go either right or leftmitted, I shall want the consolation of knowing and then neither blame nor punishment can reach that I at least have no responsibility for it. [Ap-plause.] All over the North there is a clamor Then, there are only victors and vanquished, not for the blood of the leading rebels whom we have loyalists and criminals; and although it is diffi- of treason! Would you have had our Washingcaptured, and those whom we hope yet to capture | cult to state the precise moment when rebellion I have no sympathy with this clamor. The ceases and civil war commences, notwithstand-South fully surrendering, let bloodshed cease, ing there exists an essential difference between and all punishment. [Applause.] Of course, I them; for the victorious party the moment has have no reference to the assassination of our be- arrived to extend elemency, and even no punishloved President, nor to the starving and murder- ment at all, for prudence and humanity would fall upon those who are guilty of these infamous WHAT PROFESSOR LEIBER SAYS. and infernal crimes. [Applause] My position is simply that the South shall not be punished for the rebellion; or, to use another word, the South shall not be punished for treason. Now I do not say this because she has suffered in my judgment enough already; because her property how truly, to have been written by our disting is wasted, and she is reduced to destitution. I mished fellow citizen Prof Leiber says. The do not say this becouse the safety of the North requires no more suffering; because there is not subject shows this, which in a few words I will an interest of the North to be made any more read: "No one incurs the guilt of treason by adsecure by any more suffering of the South. I do not say it because the South has not been guilty shough that King or Government have but the of treason. She has been guilty of treason. But right to successfully rebel and lose all by subse I say that she is not to be punished for treason, quent defeat." It is a perfect description of the because we have agreed that she shall not be failure of the Southern Confederacy and of its [Applause] We came into the agreement very being entitled, in the closing stages of the war, ing to the rules of war, by which I mean the rules of international warfare. WE HAVE PLEDGED OURSELVES TO TREAT THE

New, I hold that our coming into that agreement was a waver and entire surrender of our each a very considerable part, the belligerents one of those crowned heads I refer to shall sucplause] That we came into this agreement to as traitors. manifest, is indisputable; that we followed other nations, and accorded the South belligerent rights. The Supreme Court of our nation unanimously acknowledged these rights of the South We have acted upon this agreement, and instead ous to be treated as anything else than prisoners ral principle; not with exceptional cases. The Dr. Wm. Thomson has made the of punishing the prisoners, trying, condemning of war when captured, and the objection to treatand convicting them for treason, we have treated | ing them as anything else than prisoners of war, them as prisoners for those the enemy have taken is by no means relieved by saying the final victor from us, and there have been truces between the | need not punish the finally repentant all of them enemy and ourselves for burial of the dead and -he can punish a few of them and can pardon other purposes There have been formal as the remainder. This does not relieve the case well as informal negotiations for peace between | with me. The next thing to being punished for the North and the South. BAYE RECOGNIZED THEIR VATIONALITY DE FACTO

SOUTH AS BELLIGERENTS.

facto nationality and all its outgrowing rights by audience, whose thoughts run ahead of my words; THE FAITH OF THE NATION MUST BE PRESERVED. choosing for our commissioners of peace the the next thing I was going to say, was being President himself, and the Secretary of State pardoned for such a crime And when the claim tion that a civil war comes under the internahave the Southern commissioners come to them effect upon them is sad, the effect is sad on all humbly and suingly, but they honored the com- mankind, for it is a blot on the human family and in this war amenable to the law of treason? Bemissioners of the South by going more than half a disgrace to human nature. (Applause] For cause it has the power to do so? Because might way to meet them. [Applause] Now, all this, one I am entirely unwilling that it shall go down begets right? Oh, I cannot believe that my upand much more than this, including especially through all the ages and over all the earth that right Government, with that brave and strong our blockading of the Southern ports, goes to millions of my countrymen were pardoned traishow beyond all controversy that we agreed with tors. [Applause.] the enemy to conduct this war according to the laws of war. But such an agecement is virtually an agreement to treat prisoners as enemies. Now, how came we to consent to conduct this war according to the laws of war? In the first place, we came to do so, because the laws of war and especially such an one as ours, should be glaring, or guilty, than this would be, taking this required it. Let me read some authorities upon | carried on under the law of war is this: Where this point. Vattel says:

WHAT VATTEL SAYS. some will say that Vattel is more than a century plause.] old. Yes, and all the more shame to us if we in this age of greater light cannot rise up with time prepared to take the high ground that Hallam takes - Hallam, the greatest publicist of our age Hallam takes the ground that the strife of war, in the middle of the seventeenth century in Eugland, which ended in the execution of Charls the First, should have been conducted from beginning to end according to the law of war, and that the King's life should have been spared.

WRAT HALLAM SAYS.

His words are-and you must remember that he died in 1859, only six years ago: think they did not, a majority of the people, they very properly under the law of war, yet the inwere at least more numerous beyond comparison | cipient and terminating stages of it ought not to than those who demanded or approved of his come under the law of war. I have seen some death. The steady, deliberate perseverance of concessions of this point in newspapers where I so considerable a body in any cause, takes away least of all looked for it. Now this is a ground the right of punishment from the conquerors, be- less distinction, as we can see in the case of our ain't you ashamed to say that this mighty people yond what their own safety and reasonable in- own war. Was it from a conjecture of what of the North were put in a state of duress by the demnification may require. The vanquished would be the future conduct and character of our | South? [Applause] are to be judged by the rules of international, not | war, that we consented to have it come under municipal, law." [Loud applause] And then the law of war? No Certainly it was not so see how emphatically Hallam is indorsed by much from that as from what the war had actual-Macaulay, who died the same year that Hallam | ly been; and the exchange of prisoners agreed died. And reading it we must remember how on, was it not to work retroactively as well as faint a resemblance to an international war that prospectively? Would it allow that prisoners civil war of the seventeenth century bore com taken in the early stages of the war might be THE LARGEST COLLAR MANUFACTORY pared to our civil war, which was in fact a war put to death ? Certainly not If contemplated between two nations.

WHAT MACAULAY SAYS.

social schism, such as the civil war, is not to be war-for what good reason? Is it said they confounded with an ordinary treason, and that should be, because of our famous General Or the vanquished ought to be treated according to der No 100, issued in the year 1863? I admit A other Paper Collars for comfort, neatness and because both international and municipal law hands at the end of the war. But I do not SATIN-ENAMELED GARROTES, LINEN PAPER BYneither was he a traitor. If he had been suc-neither was he a traitor. If he had been suc-from under the law of war, because of the proc he would have deserved severe censure, and this lamations of amnesty. without reference to the justice or injustice of his cause."

subject:

duct of a mob who destroys mills and power agreement entered into between the two parties. apris-d3m

The neglect of this distinction has been fatal even to governments strong in the power of the sword. The present time is indeed a time of peace and order. But it is at such a time that fools are most thoughtless and wise men most thoughtful. That the discontents which have agitated the country during the late and present reign, and which though not always noisy, are never wholly dormant, will again break forth with aggravated symptoms, is almost as certain as that the tides and seasons will follow their ap-pointed course. But in all movements of the human mind, which tend to great revolutions there is a crisis at which moderate concession may amend, conciliate, and preserve. Happy will it be for England, if, at that crisis her loter ests be confided to men for whom history has not recorded the long series of human crimes and

WHAT WELCHER SAYS. My next authority is Welcher, the noble pat riot and eminent publicist of Germany, who was

"The leaders and followers are also more or less punishable as aiders and abettors, as long as their numbers has not grown so large that a sincere belief exists that he or they acted with the consent of the nation, or that a division of the The South, in plunging the nation into this nation has taken place into two hostile camps.

> Now, the last authority I will recite is the new American Encyclopedia. Cries of "Louder, 'ouder." I am sorry my voice fails me so much. I have been suffering from hoarseass some time. The article entitled "Treason," said, I know not

guished fellow-citizen, Prof. Leiber, says: The current and the conclusion of authorities on this herence to a King or Government de facto, al

REASONS FOR THESE AUTHORITIES.

WHAT BURKE SAYS.

"I confess," says Edmund Burke, I know not how to frame an indictment against a whole peo- ple. [Loud applause "Let him have it."] The binding himself to effect a radical ple." [Loud applause] They are too numera great crime, such as treason or piracy-(Horace Greeley here came upon the platform,

and was greeted with great cheering.) Why, on one occasion, we recognized her de Mr. Smith-I like this proof of an intelligent himself; and these gentlemen did not wait to of such pardon falls on great masses of men, the GREAT REBELLIONS MUST BE FOUNDED ON A SIN-

great masses of men take very momentous and conduct by the law of war, and bringing it under responsible steps it is not only charitable, but just to conclude that they had a very sincere and cipal law. [Great applause " But when a nation becomes divided into two deep belief in the wisdom and the rightfulness of parts, absolutely independent, and no longer ac such steps. [Applause.] And it is proper also knowledging a common superior, the State is dis- to believe that they had in fact no little reason solved and the war between the two parties, for taking such steps. A third reason for constanding on the same ground in every respect as ducting a civil war according to the law of war though it was a war between two different na- is this. Vast numbers of the best citizens who tions. They decide their quarrels by arms as two refuse and would persist in refusing to go into a different nations do. The obligation to observe | war which is a mere savage strife are willing to say-and here I am going to hit that friendthe common laws of war towards each other is embark in a war conducted according to the that this not what I reckoned it to be; it is not therefore absolutely indispensably binding on liberal and humane provisions of the law of war. both of them, and are the same which the law Now, I do not know how it is with you, but I naturally imposes in the transactions between feel confident that had our Government persist-State and State." Now, this is precisely our case, ed in refusing to let this war go on by the law say-and, doubtless, this friend among those is it not? Vattal adapts his words to our case of war, we should have lost our cause and our men, that it is not to gratify the spirit of reas precisely as if he had had it, and it only, in country, for the people of the Northern States venge; they say it is to serve the cause of jushis eye. For, bear in mind, the Southern half of are too civilized to go into a black flag war, a tice. Well, then, if these men are not blind to this nation broke off from the Northern half and war whose motto is "no quarter." On the other themselves and to the tworkings of their own became a nation de facto, just as precisely as our hand, the lower degree of civilization among the hearts, in fact they are alone blind to the fact part was a nation de facto. Each acknowledged masses of the South, would have made them far that justice can never be served by injustice, by Do authority outside of itself, each had all the less reluctant to embark in such a war, and they perjury. [Applause] Now we will reason with machinery of a national government; then had would have been triumphant in time. Here, we not just the same rights in conducting this then, we see in the second place, we had to carry war that we would have in conducting a war this war on according to the laws of war. in with Mexico-no more, no less? [Applause] But order to save our cause and our country. [Ap-

THE DEFEATED HAVE SUFFERED ENOUGH. and with liberty to the teachings accepted in that ducted according to the rules of war is this: and the reason why a civil war should be conday of comparative darkness. [Applause] Now, Where such a great number of men carry on a I hold that we ought to prepare for something altogether more liberal and more humane than enough in it, especially to the defeated party, when we are strong enough to do without it, it is without adding punishment at the close of the war for treason. [Loud applause A hiss, drowned with cheers | At the close of such a war the voice of compassion exclaims: "Shall the sword devour forever? Put up thy sword." At the close of such a war God speaks to the destroying angel as he spoke to him in behalf of the dismayed and trembling Jews: "It is enough, stay now thine hand." [Loud cheering.] ALL STAGES OF THE WAR SUBJECT TO THE SAME

Now it is held in some quarters, that although " If his (Charles) adherents did not form, as I the intermediate stages of a civil war may come ex hange of all prisoners, those taken in the first month and fi st week of the hostility as well as "Mr Hallam," sass Mr Macaulay, "decidedly | those taken subsequently. So much for the incondemns the execution of Charles, and in all cipient stages of the war Now, a few words rethat he says on that subject we heartily concur. | garding the terminating stages of the war Why We fully concur with him in thinking a great should any be brought out from under the law of BYRON COLLARS. the rules, not of municipal, but of international that a section in that order hints at our right to law. In this the distinction is of less importance | hold for the crime of treason the prisoners in our were in favor of Charles. He was a prisoner of scruple to condemn such a hint as utterly un war by the former, and a king by the latter; by worthy of a faith keeping and honorable govern-

ABOUT PROCLAMATIONS OF AMNESTY. A word here, my friends, though it may be a And how grandly Macaulay closes on this strange word to you. Proclamations of amnesty are in place in a revolt, in a rebellion; but procla-" Firmness is a great virtue in public affairs, mations of amnesty are not in place in an interbut it has its proper sphere. Conspiracy and in national war or civil war. [Applause.] The To Carpenters, Stairbuilders, Cabisurrection in which small minorities are engaged, proclamation of amnesty in a civil or internathe out-breaking of popular violence uncon- tional war is an unwarrantable and offensive as nected with any extensive project or any durable sumption. I know it may seem very immodest principle, are best repressed by vigor and deci- for me to be guilty of this singularity of arraying sion. To shrink from them is to make them myself against such high authorities. But I am ment Stair Ballisters and Newel Posts, and turns them to formidable. But no wise ruler will confound not slone; the truth is on my side. This order, order. Also, all kinds of turning in building work done the prevailing taint with the slight local irrita- No. 100, and this proclamation of amnesty, are to order. I will receive all kinds of orders in turning in paper. tion. No wise ruler will treat the deep seated both experte papers, and can have no effect what the cabinet making line, bedsteads, table legs, &c. discontents of a great party as he treats the con- ever to amend or modify in any degree the

IT TARES TWO TO MEAR A BARGAIN. Least of all can they have this effect so long as we are continuing to act upon the agreement and so long as neither party gives to the other notice of its discontinuance. Now, remember it takes two to break as well as two to make a bargain, and this bargain will not be broken at the will of one of the partles. The current plea that this war now coming to an end leaves the victor at liberty to punish the finally vanquished is entirely invalid, for the war has not come to an end. The war cannot be at an end so long as there are prisoners to try. The peace which follows civil and international wars implies the entire surrender of prisoners on both sides [ap piause], and if either of the parties persist in holding prisoners, it persists in keeping the war open. In a revolt or a rebellion the prisoners are lawfully to be tried as traitors, but the South has been acknowledged as a party to a civil war.

WHAT ENGLAND DID IN A REBELLION In the case of the rebellion in Ireland some sixteen or seventeen years ago, that rebellion not reaching the dimensions or character of a civil war, the British Government had the legal right -I do not say one word about the moral rightto punish the insurgents. It is gratifying to me to know that the Government had yielded so far to the progressive civilization of the age as to punish only seven of all the insurgents, and not one of them with death. [Applause.] Had a considerable part of the people of the British Islands risen up against the Governmental party, say one half, or one-third, or one fourth then of the Governmental party had come out the final victors, it would have had no right to punish any of the finally vanquished, according to the inter-pretations of the law of war by her own publicists. But surely it does not become freedomloving America to say that the finally vanquished in a civil war may be held amenable to the law ton and our Franklin, and their noble associates, punished for treason, if the Revolution had failed? Moreover, there be not many civil wars over the earth which are not started in the interests of freedom. Now, what if America should set the precedent of having the vanquished in this country tried and executed as traitors? [Loud cheers and some hisses. Crowned heads succeed now and then in suppressing the parties of freedom; is it for America to put it in the power of these crowned heads to plead her example in behalf of executions of the leaders? [Cries: "No, no!" "Never, never." Cheers 1

A man in the audience rose and said; Let me ask you one question, Mr Smith. Do you undertake to compare Washington and Franklin with Jeff Davis? [Laughter.]

Mr. Smith -I will treat my friend's question with fairness. He virtually ays the cause of Washington and Franklin was just, and that they should not have been punished as traitors in the event of their failure. But the cause of Davis is unjust, and therefore they ought to be punished if they fall. Now I will answer it. [Loud applause, I believe with the objector that the Doctor WM. THOMSON, cause of Washington and Franklin was just, and the cause of Lee and Davis unjust. [Applause And now it may be well, having given these But how does that help the opponent of my arauthorities, to give some of the reasons on which gument? See how perfectly vain will be that these authorities are based. The first reason is distinction. I am now speaking of the example No. 29 South Delaware Street, this: When a nation breaks into two parts, and of America down through the ages, and suppose on each side are too numerous to be treated ceed in crushing the party of freedom. He immediately says, "My cause is just," and he can very well do that without ruffling his complaceny; Tamifications and phases. objector mistook me I was dealing with a gene- and permanent cure, or make n day may come ere long when the Venetian and treatment of Private Diseases a Hungarian will rise again to assert their rights. and Austria should be able to crush them. God Buffalo, N. Y., eight years in Chicago, Ill., and two years forbid that Austria should then have it in her in Peoria, Ill. During eight years practice in Chicago, power to plead the most influential of all exam- Ill., he cared over thirteen thousand cases. ples in behalf of her crimes. ["Never, never."] The day may come when Ireland will rise up, ting Vapor Bath of the most ingenious kind, in conjunc [Loud cheering | and I trust that the English Government will not be able to follow the precedent of America in behalf of blood. Tremen dous applause]

Well, I need say no more to justify my positional code of war. Why, then, does our Government propose to hold the finally vanquished patriot, Andrew Johnson, at its head, [applause] -I cannot believe that such a Government would consciously fall under so unworthy a sway. I CERE BELIEF IN THE RIGHTFULNESS OF THE cannot believe that my Government should consciously propose the breach of faith, and yet I Another reason why such a war, a civil war, can conceive of no breach of faith more gross, or war in its last stages, which we had agreed to the penalties of a local Constitution and muni-

> An old gentleman in the front said, in a squeaking little voice: 'I respect your sincerity, friend Smith, but you call for clemency and fail to portray the issue."

The Speaker: I see my friend is but half converted, and I will give him time. I am such an old stager, you know; I am very patient. Men taking them out from under the law of war and putting them under the municipal law to gratify the spirit of revenge against the fallen foe. Men

Old gentleman-"Oh, no, friend Smith; go on with your speech; go on.' The Speaker-In order to save life and property from exterminating piratical war; in order to persuade scores of thousands of men into military service, who would not have helped us in such a war; in order, I add, to save our country, we agreed with the enemy to conduct this war when we are strong enough to do without it, it is proposed to break it. [" That is so."] Now, said I, not rightly, in my opening remarks, if the South has committed the great crime of the 1865. age, the crime which we are urged to commit will be the mean crime of the age. [Applause,] If I ask you to suppose we had told the enemy that in the day ef our decisive successes, if that day should come to us, we would unfurl the black flag and give no quarter. Think you he would not instantly have unfurled it, and refused

to take prisoners? Old gertleman- Did he not do it?" A voice -"Oh, don't be asking questions." A young man then arose in the audience and asked: "It a bond made under duress is not in-

valid in law?" The Speaker-A bond under duress!-Why.

CONCLUSION IN SECOND PAGE

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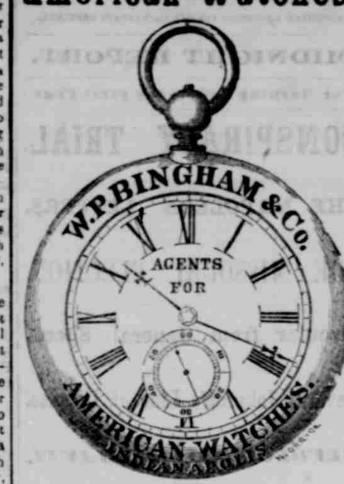
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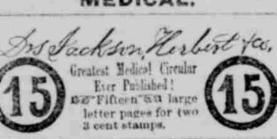
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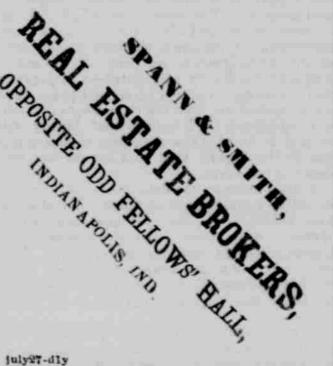
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TO INDIANA MILITARY OFFICERS

EXECUTIVE DEPARTMENT OF INDIANA) BUREAU OF FINANCE. INDIANAPOLIS, June 24, 1864 NDIANA OFFICERS, who have been or are serving in the army, are informed that their Ordnance Beturns

will be made up and presented to the proper Department and certificates of acquittance obtained, free of charge, by applying to Mr. C. F. Rooker, Chief Clerk State Ord-FET BEUNITED STATES DYR-HOUSE, NO. SSSOUTH Illinois street, Indianapolis, Indiana, At this old and well-known establishment, the ladjes er, South street, between Pennsylvania and Meridian streets. Keeps constantly on hand a good assert. By making returns, as above directed, officers will not only save all fees, but they will be able to settle with the Government and draw their pay from one to three New and second-hand clothing bought and sold, also, months earlier than if the business is entrusted to Claim a paticular branch in the business denomiffated fine drawing-billia stable cloth, or tear in any garment can be Agents.

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